## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AME	RICA	)	
Plaint	ff,	8:08CR452	
vs.		DETENTION ORDER	
ERICK D. ALFARO-VENT	URA,		
Defen	dant.		
After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on December 30, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).			
Statement Of Reasons For The Detention  The Court orders the defendant's detention because it finds:  X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.  By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
which was contained in X (1) Nature and X (a) The violal year of 18 two year (c) The (d) The (d) The (a) General X (a) General X X X X X X X X X X X X X X X X X X X	the Pretrial Services circumstances of the crime: use of a fation of 42 U.S.C. § 4 imprisonment; aggr. U.S.C. § 1028A carroters imprisonment. Offense is a crime of offense involves a nation of the evidence again and characteristics of the defendant at may affect wheth The defendant has the defendant of the defendant has	lse Social Security number (Count I) in 108 carries a maximum sentence of five avated identity theft (Count II) in violation ies a mandatory consecutive sentence of violence.  rcotic drug. ge amount of controlled substances, to wit: nst the defendant is high. If the defendant including:  opears to have a mental condition which er the defendant will appear. It is no steady employment. It is no substantial financial resources. Inot a long time resident of the community. It is not a long time resident of the community. It is no substantial financial resources. Inot a long time resident of the community. It is a history relating to drug abuse. It is a history relating to drug abuse. It is a significant prior criminal record.	

## **DETENTION ORDER - Page 2**

		Probation Parole Release pending trial, sentence, appeal or completion of
	_	sentence.
(c)	Other F	actors:
( )		The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to deportation if convicted.
	<u>X</u>	The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- That, on order of a court of the United States, or on request of an attorney
  for the government, the person in charge of the corrections facility in which
  the defendant is confined deliver the defendant to a United States Marshal
  for the purpose of an appearance in connection with a court proceeding.

DATED: December 30, 2008.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge